

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA**

MATTHEW AUBLE, JOSEPH ALTERMAN,  
DON BILYEU, LEO CRITCHFIELD,  
MICHAEL CROTEAU, LUCY AND  
ANDREW HALLBERG, MICHAEL O'NEAL,  
DANIEL PEABODY, GARY PFEIFFER,  
COLLIN REESE, JIM RIEBER, MATTHEW  
THOMPSON, and GUSTAV VANZYL,  
Individually and on Behalf of All Others  
Similarly Situated,

Plaintiffs,

v.

WINNEBAGO INDUSTRIES, INC. and  
GRAND DESIGN RV, LLC,

Defendants.

Civil Action No: 3:25-cv-00240

Judge Damon R. Leichty

**UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF PAGE LIMIT**

Pursuant to Local Rule 7-1(e)(2), Defendants Winnebago Industries, Inc. and Grand Design RV, LLC submit this unopposed motion for leave to file a brief in support of their forthcoming motion to dismiss the amended complaint in excess of the 25-page limit. In support of this Motion, Defendants state the following:

(1) Plaintiffs' original complaint alleged that four recreational vehicle models manufactured by Grand Design have a design flaw referred to as "excessive frame flex." It asserted ten statutory consumer-protection claims, as well as common-law claims for negligence and unjust enrichment, under the law of eight states. The complaint was brought on behalf of seven plaintiffs, both as individuals and as representatives of one putative nationwide class and seven putative statewide subclasses. The original complaint was 70 pages long.

(2) Defendants moved to dismiss the complaint on multiple grounds, including that the complaint failed to establish personal jurisdiction over Winnebago, that Plaintiffs lacked standing to assert claims relating to certain RV models, that the complaint failed to state a claim under each of the relevant state statutes, and that the complaint failed to state negligence or unjust enrichment claims under the law of certain states. Defendants' memorandum in support of this motion was 25 pages, exclusive of the caption, tables, and signature block.

(3) In response to Defendants' motion, Plaintiffs filed an amended complaint. The amended complaint added three statutory consumer-protection claims under the law of three separate states and expanded its common-law claims to include the law of those states. It also added eight new plaintiffs, representing three new putative statewide subclasses. In addition to allegations relating specifically to the new claims, plaintiffs, and subclasses, the amended complaint adds a number of general factual allegations. The amended complaint is 95 pages long—25 pages longer than the original complaint.

(4) Defendants plan to file a motion to dismiss the amended complaint. In addition to many of the arguments made in response to the original complaint, Defendants plan to address the new claims, plaintiffs, and factual allegations of the amended complaint. Despite making every effort to draft the memorandum efficiently and judiciously, Defendants are unable to fully present these arguments within Local Rule 7-1(e)(1)'s 25-page limit.

(5) Under Local Rule 7-1(e)(2), a district court may allow a brief to exceed the page limit for "extraordinary and compelling reasons." Here, the number of claims and plaintiffs, as well as the complexity of the legal issues involved, present extraordinary and compelling reasons to permit Defendants to exceed the limit. Defendants respectfully request to be permitted to file a memorandum in support of their motion to dismiss not to exceed 35 pages.

(6) The undersigned has conferred with counsel for Plaintiffs, and counsel do not oppose the relief requested.

(7) If Defendants' motion is granted, they will comply with Local Rule 7-1(e)(2)'s requirements for briefs that exceed 25 pages.

For these reasons, Defendants respectfully request that their Motion be **GRANTED** and that they be given leave to file a memorandum not to exceed 35 pages in support of their motion to dismiss the amended complaint.

Dated: July 11, 2025

/s/ Erica A. Ramsey

Brendan V. Johnson

Erica A. Ramsey

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WINNEBAGO INDUSTRIES, INC. AND  
GRAND DESIGN RV, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2025, a true and accurate copy of the foregoing **Unopposed Motion for Leave to File Brief in Excess of Page Limit** was electronically filed with the Clerk of Court by using the CM/ECF system to all registered parties.

/s/ Erica A. Ramsey

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